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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
AAN A. STANTON,

Plaintiff,

- against -

O R D E R

KATHEY CURANAJ and COBY GRAND CONCOURSE,  
LLC,

08 Civ. 2774 (NRB)

Defendants.  
-----X

NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE

**WHEREAS** this case was filed pro se and seeks redress for employment discrimination under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17, ("Title VII") as well as under New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 and New York City Human Rights Law, N.Y. City Admin. Code §§ 8-101 to 131; and

**WHEREAS** Title VII defines "employer" as "a person . . . who has fifteen or more employees," 42 U.S.C. § 2000e(b); see Arbaugh v. Y&H Corp., 546 U.S. 500 (2006); and

**WHEREAS** at a pretrial conference on June 10, 2008 defendants' counsel, Robert Sparer, Esq., represented to the Court and to plaintiff that since its inception defendant Coby Grand Concourse LLC has employed fewer than fifteen people; and

**WHEREAS** the Court explained to plaintiff at the conference that if Coby Grand Concourse LLC in fact employed fewer than

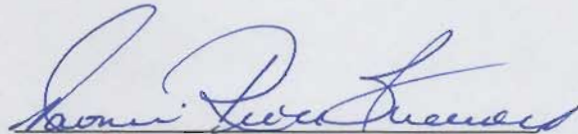
fifteen people then he would have to seek redress in another court;  
and

**WHEREAS** plaintiff was agreeable to dismissing the action without prejudice if Coby Grand Concourse LLC established that it did not have more than fifteen employees; and

**WHEREAS** defendants have submitted an affidavit averring that Coby Grand Concourse LLC has never employed 15 or more employees; it is hereby

**ORDERED** that this case is dismissed without prejudice to refiling in New York State court.

Dated: New York, New York  
July 2, 2008



NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE

Copies of the foregoing Order have been mailed on this date to the following:

Aan A. Stanton  
409 West 147th Street  
New York, NY 10031

Robert Sparer, Esq.  
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